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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

SACRAMENTO DIVISION

CHUE DOA YANG, individually, and MAI  
THAO YANG, individually,

Plaintiffs,

vs.

COUNTY OF YUBA, a public entity;  
Correctional Sergeant SARBJIT SINGH  
KANDOLA, individually;  
Correctional Sergeant JEFFREY T.  
PALMER, individually; WELLPATH, LLC;  
CHRISTINA BOETS, M.F.T., individually;  
TAYLOR FITHIAN, M.D., individually;  
Nominal Defendant L.Y., a minor, by and  
through his to-be-determined guardian ad  
litem, individually and as co-successor in  
interest to Decedent TONG YANG;  
Nominal Defendant NATALIE YANG,  
individually and as co-successor in interest to  
Decedent TONG YANG;  
Nominal Defendant NINA YANG,  
individually and as co-successor in interest to  
Decedent TONG YANG; Nominal Defendant  
KACIE YANG, individually and as co-  
successor in interest to Decedent TONG  
YANG;  
Nominal Defendant MIKE YANG,  
individually and as co-successor in interest to  
Decedent TONG YANG; Nominal Defendant  
DYLAN YANG, individually and as co-  
successor in interest to Decedent TONG  
YANG;  
Nominal Defendant DARREN YANG,  
individually and as co-successor in interest to

Case No.: 2:23-cv-00066-TLN-JDP

**FURTHER STIPULATION AND  
ORDER TO EXTEND TIME FOR  
DEFENDANTS TO FILE THEIR  
RESPONSE TO PLAINTIFFS'  
COMPLAINT TO ALLOW TIME  
FOR MEET AND CONFER  
EFFORTS**

Decedent TONG YANG; and, DOES 1-50, )  
jointly and severally, )  
Defendants. )  
\_\_\_\_\_ )

Plaintiffs CHUE DOA YANG, individually, and MAI THAO YANG, individually, (“Plaintiffs”) and Defendants WELLPATH, LLC, CHRISTINA BOETS, M.F.T., and TAYLOR FITHIAN, M.D. (collectively referred to as the “Wellpath Defendants”), by and through their undersigned counsel of record, hereby represent to the Court and stipulate as follows:

1. On January 11, 2023, Plaintiffs filed their Complaint in the United States District Court, Eastern District of California, Sacramento Division. ECF No. 1.

2. On April 20, 2023, Plaintiffs effected service of the Summons, Complaint, Civil Cover Sheet, and Initial Pretrial Scheduling Order, Magistrate Judge Consent in Civil Cases, Know your Rights, Notice of Availability of a Magistrate Judge to Exercise Jurisdiction and Appeal Instructions, and Notice of Availability Voluntary Dispute Resolution on the Wellpath Defendants. ECF Nos. 7 & 8.

3. On May 5, 2023, Plaintiffs’ attorney consented to a thirty (30) day extension of time for Defendants to file a response to Plaintiffs’ January 11, 2023, Complaint.

4. Subsequently, the Plaintiffs and Wellpath Defendants stipulated to an extension of the deadline for the Wellpath Defendants to file their response to the Complaint, which the Court granted, extending the deadline to June 12, 2023. ECF Nos. 13 and 14.

5. As part of that stipulation, the parties agreed that, if the Wellpath Defendants elected to file any responsive pleading other than an Answer, the following briefing schedule would apply: Plaintiffs shall have the same amount of time as the Wellpath Defendants’ extension within which to file their opposition to any motion, i.e., 51-days (21-days from April 20, 2023, plus the thirty-day extension); and, the Wellpath Defendants’ Reply to Plaintiffs’ Opposition shall be due seven days after the filing of Plaintiffs’ opposition. This stipulated briefing schedule will override the otherwise applicable briefing schedule under the Local Rules.

6. Counsel for the Wellpath Defendants initiated a meet and confer with the undersigned counsel for Plaintiffs, on June 6, 2023, regarding the tentative intent of the Wellpath Defendants to

1 move to dismiss certain claims, pursuant to Federal Rule of Civil Procedure 12(b)(6). However, due  
2 to the press of business and being occupied in depositions, hearings, and working on briefs and other  
3 matters on tight deadlines, counsel for the parties have not had the opportunity to engage in a  
4 substantive and meaningful meet-and-confer regarding these issues yet.

5 7. The undersigned counsel have discussed these issues on the phone and believe that, with  
6 some additional time to schedule a robust meet-and-confer, it is reasonably likely that at least some,  
7 if not all, of the potential issues can be resolved without motion practice, thereby cutting back on or  
8 obviating altogether the need for motion practice. This will conserve the Court's time and promote  
9 the interest of judicial economy, and will also conserve attorney time and resources.

10 8. Accordingly, the parties respectfully stipulate and request that the previous extension of the  
11 deadline for the Wellpath Defendants to file their response to the Complaint be extended one last  
12 time by 14-days, to June 26, 2023, to allow for a meet-and-confer; if either or both of the Wellpath  
13 Defendants do still file a motion to dismiss, the previous, stipulated briefing schedule shall apply.

14 IT IS SO STIPULATED AND AGREED.

15  
16 DATED: June 12, 2023

LAW OFFICE OF SANJAY S. SCHMIDT

17 By: /s/ Sanjay S. Schmidt

18 Sanjay S. Schmidt

19 Attorneys for Plaintiffs

20 DATED: June 12, 2023

GORDON REES SCULLY MANSUKHANI, LLP

21  
22 By: /s/ Lindsey M. Romano\*

23 Lindsey M. Romano

24 Attorneys for Defendants

25 Wellpath, LLC., Christina Boets, M.F.T.,  
and Taylor Fithian, M.D.

26 \*Pursuant to Local Rule 131(e), counsel has authorized submission of this document on counsel's  
27 behalf.

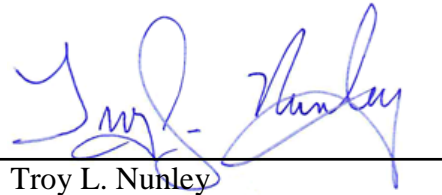
**ORDER**

GOOD CAUSE APPEARING THEREFOR, and the parties' having stipulated to the same, the parties' stipulation is hereby APPROVED.

**IT IS HEREBY ORDERED** that Defendants Wellpath, LLC, Christina Boets, M.F.T., and Taylor Fithian, M.D., shall file their response to Plaintiffs' Complaint by June 26, 2023, and that, if the Wellpath Defendants elect to file any responsive pleading other than an Answer, the previous, stipulated briefing schedule shall apply.

**IT IS SO ORDERED.**

DATED: June 13, 2023



Troy L. Nunley  
United States District Judge

GORDON REES SCULLY MANSUKHANI, LLP  
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San Francisco, CA 94111